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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,585	01/08/2002	Olfa Chetay	Q67992	1441
7590 09/21/2005			EXAMINER	
SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, NW Washington, DC 20037-3213			LAU, TUNG S	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Part of Paper No./Mail Date 20050916

**DETAILED ACTION**

***Election/Restrictions***

***Combination/subcombination***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 15-19, 23-27, 32, 28, 29, 30 and 31, drawn to monitor gas mixture having pressure, temperature and density, classified in class 702, subclass 24.
  - II. Claims 20, 21 and 22, drawn to monitor gas mixture having pressure, temperature and density using capacitance type sensing, classified in class 702, subclass 47.

The inventions are distinct, each from the other because of the following reasons:

Invention I and II are related as combination (invention I) and subcombination (invention II). Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particular of the subcombinations as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because Invention II, the combination as claimed does not required monitor gas mixture having pressure, temperature and density using capacitance type sensing. The subcombination (invention II) has separate

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utility such as a monitor gas mixture having pressure, temperature and density using capacitance type sensing.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

During a telephone conversation with Paul Neils on 9/14/05 no election was made. Affirmation of this election must be made by applicant in replying to this Office action. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143)


Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 571-272-

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2274. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL



John Barlow  
Supervising Patent Examiner  
Technology Center 2863